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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/775,502 | 02/05/2001 | Jacob Aizikowitz | P-3016-US | 8471 |
| 27130 | 7590 | 10/25/2005 | EXAMINER | |
| EITAN, PEARL, LATZER & COHEN ZEDEK LLP 10 ROCKEFELLER PLAZA, SUITE 1001 NEW YORK, NY 10020 | | | SAIN, GAUTAM | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2176 | |
| DATE MAILED: 10/25/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/775,502 | AIZIKOWITZ ET AL. | |
| | Examiner | Art Unit | |
| | Gautam Sain | 2176 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-9,12-17 and 30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-9,12-17 and 30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>8/31/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- 1) This is a NonFinal Rejection in response to the Amdments filed on 8/9/05, via RCE.
- 2) Claims 1,2,4-9,12-17, 30 are pending and rejected; Claims 3, 10, 11, 18-29 were cancelled by the Applicant.
- 3) Effective date used – 2/3/2000.

Continued Examination Under 37 CFR 1.114

- 4) A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/9/05 has been entered.

Claim Rejections - 35 USC § 103

- 5) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 5-1) **Claims 1, 2, 4, 5, 7, 8, 12, 14, 15, 16, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orr et al (US 589547, issued Apr 20, 1999), in view of Mohr et al (US 6826727, filed Nov 1999).**

Claim 1, 12, Orr teaches

Providing a dynamic document template ... section (ie., media layout)(Abstract section logical component)(col 14, line 26).

Orr does not teach, but Mohr suggests

Wherein said logic component ... data table; where said layout ... dynamic object (ie., a dynamic composition and recomposition of program objects)(col 5, lines 27-28)(in a schema representation of variable data running a document layout program, XML text data of the template file and making text with tags (making them dynamic))(col 6, line 44; and see Fig 2)(where template elements are variable elements to produce a set of one or more variable data documents)(col 11, line 65 – col 12, line 15; col 12, lines 40-46).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Orr to include dynamic composition of program objects in a schema representation of variable data running a document layout program where template elements are variable elements to produce a set of one or more variable data documents as taught by Mohr, providing the benefit of a system for layout out documents that can be automatically adjust the layout process in that flexible and often appropriate manner to changes in the size of contents placed inside document shape elements and make it easy to create flexible document templates (Mohr, col 2, lines 42-49).

Claim 2, Orr teaches

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Binding an instances ... on said instances set (ie., in the logical component structure of a composition, a component has bindings for the design types via the design facet)(col 14, lines 25-30).

Claim 4, 15, Orr does not expressly teach, but Mohr suggests

Including ... media source (ie., schematically, user creates project files with content-mapping rules for mapping variable values into variable elements)(col 12, lines 40-46).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Orr to include schematically, creating project files with content mapping rules for mapping variable values into variable elements as taught by Mohr, providing the benefit of a system for layout out documents that can be automatically adjust the layout process in that flexible and often appropriate manner to changes in the size of contents placed inside document shape elements and make it easy to create flexible document templates (Mohr, col 2, lines 42-49).

Claim 5, Orr suggests

A set of layout object ... type of said object (ie., objects ar recognized by various types (text, sound) in a document layout)(col 5, lines 30-40);

Orr suggests

A set of possible pages in said dynamic document; and a set placeholders for said dynamic objects (ie., dynamic composition of objects for document production)(col 5, lines 26-46).

Claim 7, Orr suggests storage system ... actual item (ie., content processing from a wide variety of resources ... disk)(col 5, lines 47-55)(content facet ... pointer to a text string containing text)(col 16, lines 65-67).

Claim 8, 16, Orr does not teach, but Mohr suggests said ... Relational Database (ie., content mapping rules schematically shown user relational databases)(col 13, line 5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Orr to include content mapping rules schematically using a relational database as taught by Mohr, providing the benefit of a system for layout out documents that can be automatically adjust the layout process in that flexible and often appropriate manner to changes in the size of contents placed inside document shape elements and make it easy to create flexible document templates (Mohr, col 2, lines 42-49).

Claim 14, Orr does not teach, but Mohr suggests

A storage system ... an actual item (ie., stored on the web site or sent out over the web servicing a requesting client that requested the data)(col 38, lines 30-38).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Orr to include storing on the web site, that is servicing a client request for the data as taught by Mohr, providing the benefit of a system for layout out documents that can be automatically adjust the layout process in that flexible and often appropriate manner to changes in the size of contents placed inside document shape elements and make it easy to create flexible document templates (Mohr, col 2, lines 42-49).

Claim 17, Orr suggests

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A set of layout object ... type of said object (ie., objects are recognized by various types (text, sound) in a document layout)(col 5, lines 30-40);

Claim 30, Orr suggests

Mapping ... said data table (ie., with the content drop table in attempt to match content and map specific content types)(col 26, lines 49-54).

5-2) Claims 6, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orr et al (as cited above), in view of Mohr et al (as cited above), further in view of Li (US 6725227, filed Nov 2, 1998).

Regarding claims 6, 13, Orr in view of Mohr does not expressly teach, but Li teaches “set of rules ... Relational Algebra” (ie., Relational Algebra)(col 9, line 23).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Orr in view of Mohr to include Relational Algebra as taught by Li, providing the benefit of managing Web and intranet documents efficiently where users store documents contents in databases and structures and users can create and logically combine physical or logical databases for visually and organizing documents (Li, col 1, line 65 – col 2, line 26).

5-3) Claims 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Orr et al (as cited above), in view of Mohr et al (as cited above), further in view of Poole (US 6725227, filed Nov 2, 1998).

Regarding claims 9, Orr in view of Mohr does not expressly teach, but Poole teaches “assigning ... tables” (ie., conventional relational database scheme ... table of rules with boilerplate clauses)(col 1, lines 40-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Orr in view of Mohr to include matching database tables with boilerplate clauses as taught by Poole, providing the benefit of an apparatus and method for dynamically constructing electronic and printable documents and forms (Poole, Abstract section).

Response to Arguments

Applicant's arguments with respect to claims 1,2,4-9,12-17, 30 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam Sain whose telephone number is 571-272-4096. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

G.S.

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
10/23/2005